



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/531,291

04/14/2005

Michel Banatre

017346-0186

4654

22428 7590 05/12/2009  
FOLEY AND LARDNER LLP  
SUITE 500  
3000 K STREET NW  
WASHINGTON, DC 20007

EXAMINER

PARK, JEONG S

ART UNIT

PAPER NUMBER

2454

MAIL DATE

DELIVERY MODE

05/12/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/531,291	<b>Applicant(s)</b> BANATRE ET AL.	
	<b>Examiner</b> JEONG S. PARK	<b>Art Unit</b> 2454	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 04 February 2009.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-11, 18 and 36-46 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11, 18 and 36-46 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. This communication is in response to Application No. 10/531,291 filed on 4/14/2005. The amendment presented on 2/4/2009, which cancels claims 12-17 and 19-35, amends claims 1-11, 18 and 36-41, and adds new claims 42-46, is hereby acknowledged. Claims 1-11, 18 and 36-46 have been examined.

### ***Claim Objections***

2. The amendment presented on 2/4/2009 providing change to the claims is noted. All prior objections to the claims are hereby withdrawn.

### ***Response to Arguments***

3. Applicant's arguments filed 8/16/2007, with respect to claims 1-11, 18 and 36-46 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1 and 8-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saraga et al. (hereinafter Saraga)(US Pub. No. 2002/0062192) in view of Van Valkenburg (hereinafter Van)(US Pub. No. 2005/0180343 A1).

Regarding claim 1, Saraga teaches as follows:

a method for exchanging data between a portable user equipment (mobile telephone 12 in figure 1), a plurality of service stations (base stations BS1-BS7 in figure

2) placed at selected locations and a plurality of mobile service providers (bus 14 in figure 1)(see, e.g., page 2, paragraph [0026]), said method including the steps of:

generating a first request message including designating service data at the portable user equipment (mobile telephone requests a travel-related request such as a particular travel destination, see, e.g., page 2, paragraph [0026]);

transmitting the first request message, each of the plurality of service stations (a plurality of base station BS1-BS7 in figure 2) being arranged with a short-range communication module which provides a first transmission zone, the portable user equipment including a compatible short-range communication module (the mobile phone transmits the travel-related request via one of the plurality of base stations, see, e.g., page 3, paragraph [0030] and figure 2);

generating a second request message including at least said designating service data at that one of the plurality of service stations whose first transmission zone contains the portable user equipment upon receiving the first request message (the base station via system controller (18 in figure 1) generates request for the Internet Service Provider to provide web-based application from a transport service provider, see, e.g., page 3, paragraph [0034]);

transmitting the second request message, each of the plurality of mobile service providers (transport service provider) being arranged with a short-range communication module which provides a second transmission zone, each of the plurality of service stations including a compatible short-range communication module (system sends the travel-related request with position data to the transport service

provider, see, e.g., page 2, paragraph [0026]);

receiving the second request message at that one of the plurality of mobile service providers (a bus equipped with mobile communication device) whose second transmission zone contains one of the plurality of service stations at which the second request message was generated (the driver of the bus receives passenger information, see, e.g., page 3, paragraph [0028]); and

stopping such mobile service provider at such service station (the bus stops at the bus stop 16 in figure 1, see, e.g., page 3, paragraph [0028]).

Saraga does not teach the second transmission zone contains the plurality of mobile service providers and the plurality of service stations, but the base station (equivalent to applicant's service station) sends request to transport service provider (equivalent to applicant's mobile service provider) via PSTN and Internet.

Van teaches as follows:

a method for network formation, based on relaying an available service to another device, focusing on Bluetooth networking and Personal Area Networking (PAN) profile by extending a provided service to a larger area than one single Bluetooth piconet in forming of multihop networks accessing a certain service (see, e.g., page 1, paragraph [0001]);

several piconets can be established and linked together in ad hoc scatternets to allow communication among continually flexible configurations (see, e.g., page 1, paragraph [0004]);

a step of connecting from first network device (equivalent to applicant's user mobile station) to third network device (equivalent to applicant's mobile service provider) by actively searching for third devices by the second device (equivalent to applicant's service station)(see, e.g., page 2, paragraph [0017]); and

a step of connecting a first piconet (26 in figure 2) and a second piconet (28 in figure 2) together to request and provide a service (see, e.g., page 4, paragraph [0045] and figure 2).

It would have been obvious for one of ordinary skill in the art at the time of the invention to combine Van with Saraga in order to efficiently provide the requested service from another piconet by establishing an ad hoc point-to-point connection.

Regarding claim 8, Saraga teaches as follows:

sending information to said portable user equipment, after receiving the first request message (the result is then output to the requested mobile telephone, see, e.g., page 4, paragraph [0036]).

Regarding claim 9, Saraga teaches as follows:

information comprises arrival time data relative to that one of the plurality of service stations which receives the second request message (the travel service comprises the time Y before the bus arrives at the bus stop, see, e.g., page 3, paragraph [0028]).

Regarding claims 10 and 11, Saraga teaches as follows:

Since the internet service provider serves to calculate a response to the mobile telephone user's request on the basis of information indicative of the current state of the

Art Unit: 2454

travel service offered by the transport service provider, it would have been obvious for one of ordinary skill in the art at the time of the invention to include advertising type information by indicating Internet site address.

6. Claims 2-7, 18 and 36-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saraga et al. (hereinafter Saraga)(US Pub. No. 2002/0062192) in view of Van Valkenburg (hereinafter Van)(US Pub. No. 2005/0180343 A1), and further in view of Moore et al. (hereinafter Moore)(U.S. Pub. No. 2002/0129170 A1).

Regarding claims 2 and 3, Saraga in view of Van do not teach of determining whether a requested service is matched with available service.

Moore teaches as follows:

a system and method for providing electronic services to wireless devices (equivalent to applicant's portable user equipment) in a personal area network (herein after PAN) via a kiosk (equivalent to applicant's service station), wherein the kiosk can be extended to offer new services adding value to these existing kiosks (see, e.g., page 1, paragraph [0009]); and

Kiosks determine if the specified services reside in the kiosk or not (see, e.g., page 2, paragraph [0012]).

It would have been obvious for one of ordinary skill in the art at the time of the invention to combine Moore with Saraga in view of Van in order to efficiently detect a kiosk which can provide requested service by using of service discovery protocols taught by Moore.

Art Unit: 2454

Regarding claims 4, 6, 43 and 45, Moore further teaches as follows:

ad hoc point-to-point connection (see, e.g., page 4, paragraph [0029], lines 1-5).

Therefore they are rejected for similar reason as presented above.

Regarding claims 5, 7, 44 and 46, Saraga teach as follows:

designating service data includes data defining a first spatial value (position data) which is defined at any location within a restricted physical volume (the mobile telephone has the capability to provide output signal indicative of its location, see, e.g., page 2, paragraph [0026]).

Regarding claims 18, 39, 40 and 41, Saraga teaches as follows:

in the field of public transport, said mobile service means providers being public transport vehicles, in particular, buses and coaches including a bus stop (16 in figure 1 (see, e.g., page 2, paragraph [0026] and figure 1).

Saraga in view of Van does not teach the service station constituting all or part of a bus stop.

Moore teaches as follows:

a system and method for providing electronic services to wireless devices (equivalent to applicant's portable user equipment) in a personal area network (herein after PAN) via a kiosk (equivalent to applicant's service station), wherein the kiosk can be extended to offer new services adding value to these existing kiosks (see, e.g., page 1, paragraph [0009]); and

a method for delivering electronic services in a PAN can include providing a kiosk in a publicly traversable area (see, e.g., page 2, paragraph [0013]-[0014]).



It would have been obvious for one of ordinary skill in the art at the time of the invention to combine Moore with Saraga in view of Van in order to add bus stop functionality at the existing kiosk.

Regarding claim 42, they are rejected for similar reason as presented above in claims 1 and 2.

Regarding claims 36 and 38, they are rejected for similar reason as presented above in claim 42.

Regarding claim 37, Saraga teaches as follows:

the portable user equipment is chosen from a group including mobile telephones and personal digital assistants (mobile telephone, see, e.g., page 2, paragraph [0026]).

### ***Conclusion***

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

Art Unit: 2454

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JEONG S. PARK whose telephone number is (571)270-1597. The examiner can normally be reached on Monday through Friday 7:00 - 3:30 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn can be reached on 571-272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/J. S. P./  
Examiner, Art Unit 2454

May 4, 2009  
/Nathan J. Flynn/

Application/Control Number: 10/531,291

Page 10

Art Unit: 2454

Supervisory Patent Examiner, Art Unit 2454